



SUSANA MARTINEZ  
Governor  
JOHN A. SANCHEZ  
Lt. Governor

**NEW MEXICO  
ENVIRONMENT DEPARTMENT**

Harold Runnels Building  
1190 South St. Francis Drive (87505)  
P.O. Box 5469, Santa Fe, NM 87502-5469  
Phone (505) 827-0187 Fax (505) 827-0160  
[www.env.nm.gov](http://www.env.nm.gov)



BUTCH TONGATE  
Cabinet Secretary  
  
J. C. BORREGO  
Deputy Secretary

**Certified Mail - Return Receipt Requested**

April 25, 2018

Mr. David Arnold, Owner  
Wines of the San Juan  
233 Highway 511  
Blanco, New Mexico 87412

Re: **Wines of the San Juan; SIC 2084; MSGP Compliance Evaluation Inspection; NPDES #  
NMU001963; April 4, 2018**

Dear Mr. Arnold;

Enclosed please find a copy of the report and check list for the referenced inspection that the New Mexico Environment Department (NMED) conducted at your facility on behalf of the U.S. Environmental Protection Agency (USEPA). This inspection report will be sent to the USEPA in Dallas for their review. These inspections are used by USEPA to determine compliance with the National Pollutant Discharge Elimination System (NPDES) permitting program in accordance with requirements of the federal Clean Water Act.

Problems noted during this inspection are listed in the report. You are encouraged to review the inspection report, required to correct any problems noted during the inspection, and advised to modify your operational and/or administrative procedures, as appropriate. If you have comments on or concerns with the basis for the findings in the NMED inspection report, please contact us (see the address below) in writing within 30 days from the date of this letter. Further, you are encouraged to notify in writing both the USEPA and NMED regarding modifications and compliance schedules at the addresses below:

Robert Houston  
US Environmental Protection Agency, Suite 1200  
Enforcement Branch (6EN-WS)  
1445 Ross Avenue  
Dallas, Texas 75202-2733

Sarah Holcomb, Program Manager  
New Mexico Environment Department  
Surface Water Quality Bureau  
Point Source Regulation Section  
P.O. Box 5469  
Santa Fe, New Mexico 87502

Wines of the San Juan  
April 25, 2018  
NMU001963

If you have any questions about this inspection report, please contact Daniel Valenta at 505-827-2575 or at [daniel.valenta@state.nm.us](mailto:daniel.valenta@state.nm.us).

Sincerely,

*/s/Sarah Holcomb*

Sarah Holcomb  
Surface Water Quality Bureau

Cc: Carol Peters-Wagnon, USEPA (6EN-WM) by e-mail  
David Long, USEPA (6EN-WM) by e-mail  
Amy Andrews, USEPA (6EN-WM) by e-mail  
David Esparza, USEPA (6EN-WM) by e-mail  
Robert Houston, USEPA (6EN-WS) by e-mail  
Darlene Whitten-Hill, USEPA (6EN-WC) by e-mail  
Nancy Williams, USEPA (6EN-WC) by e-mail  
Robert Italiano, NMED District II by e-mail



Form Approved  
OMB No. 2040-0003  
Approval Expires 7-31-85

## NPDES Compliance Inspection Report

### Section A: National Data System Coding

Transaction Code	NPDES	yr/mo/day	Inspection Type	Inspector	Fac Type
1 N 2 5 3 N M U 0 0 1 9 6 3 11 12 1 8 0 4 0 4 17 18 ~ 19 S 20 2					
Remarks					
S E C T O R U W I N E P R O D U C T I O N					
Inspection Work Days	Facility Evaluation Rating	BI	QA	Reserved	
67 69	70 1	71 N	72 N	73 74 75	80

### Section B: Facility Data

Name and Location of Facility Inspected (For industrial users discharging to POTW, also include POTW name and NPDES permit number)	Entry Time /Date 1055 Hours/4-4-2018	Permit Effective Date 6-4-2015
Wines of the San Juan, 233 Highway 511 @Turley, Blanco, New Mexico 87412 San Juan County	Exit Time/Date 1239 Hours/4-4-2018	Permit Expiration Date 6-4-2020
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s)	Other Facility Data	
David Arnold/Owner/505-632-0879	N. 35.083 W. -106.71494	
Name, Address of Responsible Official/Title/Phone and Fax Number	Yes <input checked="" type="checkbox"/> * No <input type="checkbox"/>	SIC 2084 Sector U
Mr. David Arnold, 233 Highway 511, Blanco, New Mexico 87412/Owner/505- 632-0879		

### Section C: Areas Evaluated During Inspection

(S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)

U Permit	N Flow Measurement	U Operations & Maintenance	N CSO/SSO
N Records/Reports	N Self-Monitoring Program	N Sludge Handling/Disposal	N Pollution Prevention
U Facility Site Review	N Compliance Schedules	N Pretreatment	N Multimedia
U Effluent/Receiving Waters	N Laboratory	N Storm Water	N Other:

### Section D: Summary of Findings/Comments (Attach additional sheets if necessary)

- Inspectors arrived on site at 1055 on 4/4/2018, conducted entrance interview with Mr. David Arnold, during which the Inspectors made introductions, showed credentials and explained the purpose of the inspection.
- This report is based on a review of the files maintained by the permittee and NMED, on-site observations by NMED personnel, and verbal information provided by the facility's representative.
- An exit interview to discuss the preliminary finding of the inspection was conducted at approximately 1239 on 4/4/2018 with Mr. David Arnold at the site.

Name(s) and Signature(s) of Inspector(s)	Agency/Office/Telephone/Fax	Date
DANIEL VALENTA /s/Daniel Valenta	NMED/SWQB 505-827-2575	4/24/2018
Signature of Management QA Reviewer	Agency/Office/Phone and Fax Numbers	Date
JENNIFER FOOTE /s/Jennifer Foote	505-827-0596	4/24/2018

**Wines of the San Juan**  
**NMU001963**  
**April 4, 2018**

**Further Explanation**

**Introduction**

On April 4, 2018, a Compliance Evaluation Inspection (CEI) was conducted at Wines of the San Juan at 233 Highway 511, Blanco, New Mexico 87412 in San Juan County by Mr. Daniel Valenta and Ms. Sandra Gabaldon of the New Mexico Environment Department (NMED) Surface Water Quality Bureau (SWQB) and Mr. Matthew Smith and Mr. Jason Herman of the Ground Water Quality Bureau.

The purpose of this inspection was to document the operator's status regarding the National Pollutant Discharge Elimination System (NPDES) permit requirements for stormwater discharges associated with industrial activity under 40 Code of Federal Regulations (CFR) 122.26 and the industrial stormwater Multi-Sector General Permit (MSGP). Wines of the San Juan is a wine cultivation and production facility (see Standard Industrial Classification (SIC) code 3284) that meets the description in Category 40 CFR 122.26(b)(14), and Sector U of the MSGP.

Upon arrival at 1055 hours on April 4, 2018 the inspectors made introductions, stated the purpose of the inspection and presented credentials to the Owner, Mr. Arnold. The inspector briefly toured the facility. Following the tour, an on-site exit interview to discuss preliminary findings was conducted with Mr. Arnold. The inspector left the facility at approximately 1239 hours.

This report is based on review of EPA's on-line notice of intent (eNOI & ICIS) database, files maintained by NMED, and on-site observation by NMED personnel, and verbal information provided by the operator's on-site representative.

Stormwater may discharge from the facility into the San Juan river in the San Juan River basin, Segment 20.6.4.405 of the State of New Mexico Standards for Interstate and Intrastate Surface Waters, New Mexico Administrative Code (NMAC). Designated uses are irrigation, high quality coldwater aquatic life, livestock watering, public water supply, wildlife habitat, industrial water supply and primary contact. This part of the San Juan has a TMDL for sedimentation and E coli. More information can be found at <https://www.env.nm.gov/swqb/Projects/SanJuan/TMDL1/index.html>.

**Clean Water Act (CWA) and Industrial Stormwater Permit Requirements**

Section 301 (a) of the Federal Water Pollution Control Act states that *"Except as in compliance with this section and sections 302, 306, 307, 318, 402 and 404 of this Act, the discharge of any pollutant by any person shall be unlawful."* Federal regulations in 40 CFR Part 122.21(a) Duty to apply (1) states: *"Any person who discharges or proposes to discharge pollutants...must submit a complete application to the Director in accordance with this section and part 124 of this chapter."*

The USEPA's MSGP was re-issued effective June 4, 2015 which expires on June 4, 2020. It replaced the 2008 MSGP which expired on September 29, 2013.

Common requirements for coverage under an industrial stormwater permit include development of a written stormwater pollution prevention plan (SWPPP), implementation of control measures, and submittal of a request for permit coverage, usually referred to as the Notice of Intent or NOI.

The SWPPP is a written assessment of potential sources of pollutants in stormwater runoff and control measures that will be implemented at your facility to minimize the discharge of these pollutants in runoff from the site.

These control measures include site-specific best management practices (BMPs), maintenance plans, inspections, employee training, and reporting. The procedures detailed in the SWPPP must be implemented by the facility and updated as necessary, with a copy of the SWPPP kept on-site.

The industrial stormwater permit also requires collection of visual, analytical, and/or compliance monitoring data to determine the effectiveness of implemented BMPs. For more information on EPA's industrial stormwater permit go to <https://www.epa.gov/npdes/stormwater-discharges-industrial-activities>.

A SWPPP should include the following information:

- A description of potential pollutant sources – includes a site map, an identification of the types of pollutants that are likely to be present in stormwater discharges, an inventory of the types of materials handled at the site that potentially may be exposed to precipitation, a list of significant spills and leaks of toxic or hazardous pollutants, sampling data, a narrative description of the potential pollutant sources from specific activities at the facility, and identification of specific potential pollutants; and
- A description of appropriate measures and controls – includes the type and location of existing and proposed non-structural and structural best management practices (BMPs) selected for each of the areas where industrial materials or activities are exposed to stormwater. Non-structural and structural BMPs to be described and implemented include such things as good housekeeping, preventive maintenance, spill prevention and response procedures, periodic inspections, employee training, record keeping, non-storm water evaluations and certifications, sediment and erosion control, as well as implementation/maintenance of traditional stormwater management practices, where appropriate.

An industrial stormwater fact sheet for Sector U: Food and Kindred Products Facilities including a summary of typical pollutants associated with activities and types of stormwater control measures (BMPs) used to minimize the discharge of those pollutants is available at USEPA's website: <https://www.epa.gov/npdes/industrial-stormwater-fact-sheet-series>.

### **Findings:**

As of the time of the inspection the facility did not have an NPDES MSGP active or expired permit in place for the discharges into the San Juan river. The facility is fairly level and appeared clean and orderly. A shallow ditch has been dug to allow and focus rainwater discharges, (see photo 2). The facility processed grapes, cleaned equipment, and stored materials under covered sheds and buildings. Two areas may be sources of contaminants for stormwater, (see photo's 3&4).

Flow in the river is controlled by releases from Navajo Lake. Wines of the San Juan is a small family run operation that produces 3 to 4 thousand cases of wine annually. More information concerning the MSGP can be found at <https://www.epa.gov/npdes/final-2015-msgp-documents>. The No Exposure Certification was discussed with Mr. Arnold and can be found at [https://www.epa.gov/sites/production/files/2018-03/documents/msgp2015\\_appendixk\\_fillable.pdf](https://www.epa.gov/sites/production/files/2018-03/documents/msgp2015_appendixk_fillable.pdf)

**Note:** On April 17 a letter was received from Mr. Arnold explaining how his facility was working towards being able to apply for a No Exposure Certification, see attached 1.

NMED/SWQB  
Site Overview

	Google Maps	
City/County: Blanco/San Juan		
Location: 233 Highway 511 @Turley, Blanco, New Mexico 87412		
Subject: Wines of the San Juan facility. Arrows point to the processing building and discharge outfall.		





**NMED/SWQB  
Official Photograph Log**

Photo # 1

Photographer: Daniel Valenta	Date: April 4, 2018	Time: 1132 hours
City/County: Blanco/San Juan		
Location: 233 Highway 511, Blanco, New Mexico 87412		
Subject: Wines of the San Juan facility site is fairly level,		



**NMED/SWQB  
Official Photograph Log**

Photo # 2

Photographer: Daniel Valenta	Date: April 4, 2018	Time: 1132 hours
City/County: Blanco/San Juan		
Location: 233 Highway 511, Blanco, New Mexico 87412		
Subject: Shallow ditch drains stormwater from the facility to the river.		





**NMED/SWQB  
Official Photograph Log**

Photo # 3

Photographer: Daniel Valenta	Date: April 4, 2018	Time: 1132 hours
City/County: Blanco/San Juan		
Location: 233 Highway 511, Blanco, New Mexico 87412		
Subject: Used oil storage area is exposed to stormwater.		



**NMED/SWQB  
Official Photograph Log**

Photo # 4

Photographer: Daniel Valenta	Date: April 4, 2018	Time: 1135 hours
City/County: Blanco/San Juan		
Location: 233 Highway 511, Blanco, New Mexico 87412		
Subject: Gasoline and diesel storage area. This appears to be a fire hazard as well as a potential stormwater contamination.		



## Attachment 1



RECEIVED

APR 17 2018

SURFACE WATER  
QUALITY BUREAU

WINES <sup>OF THE</sup> SAN JUAN



LOCAL WINE INTERNATIONAL AWARDS

David Arnold, owner  
Wines of the San Juan  
233 Hwy 511  
Blanco, New Mexico 87412  
w- 505-632-0879  
c- 970-749-8938

Dear Mr. Valenta,

Because of the visit to our winery by yourself and other staff members of the New Mexico Environment Department, I am aware of violations pointed out, and am working to address the issues of the discharges from the winery floor drain and storm water runoff.

As for the storm water runoff problem, my fuel storage stand (two stainless 55 gallon barrels with diesel and gasoline for tractors and mowers, etc.) I plan to move them to an undercover location out of weather exposure.

My waste oil will be taken to a local Jiffy Lube in Bloomfield.

I will be installing an above ground storage tank on a cement pad to impound the discharge from the floor drains that collect all the discharge from the winery and crush pad area. The contents of this tank will be hauled to the Farmington waste water facility on an as needed basis.

Grape solids (skins, seeds, lees and stems) are composted and used to fertilize and add organic matter to the soils in the vineyard.

By taking these steps, all of our waste will be hauled away or composted.

Composite samples of discharge are going to be impossible to collect until the harvest season is past because our discharges vary depending upon winery activities. Harvest and crush are our peak volume of discharge. Most of the cleaning at that time of year is with high pressure hot water generated by a Hotsy pressure washer. Harvest usually starts the first week of August and continues until about mid-October.

Hopefully, the containment tank will be in place within the next couple of weeks, and all possible containment from Wines of the San Juan into surface or groundwater will be eliminated.

Contaminant

Sincerely,

David L. Arnold



